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Attorneys for Plaintiffs

**UNITED STATES BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

In Re JOHN T. MILLS,  
  
Debtor

Case No. 08-23546-lbr

Chapter 7

Adversary Proceeding No.

MARK J. PETROFF, LLC, a Florida limited liability company; JONATHAN SCOTT MASTERS, an individual; THOMAS HARRINGTON, an individual; SHARON MULLIN, an individual; CHRIS WONG, an individual; WISECARVER TIXVEN, LLC, a California limited liability company; BRUCE BANDEMER, an individual; BERNIE LOCSIN, an individual; and JAMES STOKOS, M.D., an individual,

Plaintiffs,

vs.

JOHN T. MILLS, an individual,

Defendant.

[Case No. A572367, Dept. XXIV,  
Eighth Judicial District Court,  
Clark County, Nevada]

**NOTICE OF REMOVAL, WITH  
CERTIFICATE OF SERVICE**

JONES VARGAS  
100 West Liberty Street, Twelfth Floor  
P.O. Box 281  
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Tel: (775) 786-5000 Fax: (775) 786-1177

1 TO: THE UNITED STATES BANKRUPTCY COURT  
2 FOR THE DISTRICT OF NEVADA

3 Plaintiffs MARK J. PETROFF, LLC; JONATHAN SCOTT MASTERS; THOMAS  
4 HARRINGTON; SHARON MULLIN; CHRIS WONG; WISECARVER TIXVEN, LLC; BRUCE  
5 BANDEMER; BERNIE LOCSIN; and JAMES STOKOS, M.D. (collectively, "Plaintiffs"),<sup>1</sup> notice  
6 the removal of their claims against Defendant and Debtor John T. Mills ("Debtor") to the United  
7 States Bankruptcy Court. 28 U.S.C. § 1452; Fed. R. Bankr. P. 9027.

8 Plaintiffs initially filed their complaint against Debtor and other defendants on September  
9 25, 2008. *Mark J. Petroff, LLC v. Got the Tickets, LLC, John T. Mills and Michael Shinefield*,  
10 Case No. A572367, Dept. XXIV (8th Judicial Dist. Ct., Clark County, Nev.).<sup>2</sup> On November 14,  
11 2008, Debtor filed a petition under Chapter 7 of the Bankruptcy Code. Section 1452 of Title 28 of  
12 the United States Codes permits Plaintiffs to "remove any claim or cause of action in a civil  
13 action" related to a bankruptcy case. Federal Rule of Bankruptcy Procedure 9027(a)(2)(A)  
14 permits removal within "90 days after the order for relief in the case." The ninetieth day after the  
15 order for the relief in this case is February 12, 2008. Therefore, this removal is proper and timely.

16 This is a veil piercing and fraud action. Plaintiffs were defrauded by Got the Ticket, LLC  
17 ("Ticket"), an alleged ticket brokering agency managed by Debtor and Michael Shinefield. Debtor  
18 and Mr. Shinefield effectuated a scheme to deceive Plaintiffs into investing personal funds into  
19 Ticket's accounts for the purchase of blocks of tickets for major events such as concerts and  
20 sporting events, many of which were located in Clark County, Nevada. From the inception of  
21 Ticket's operations in 2006 until 2008, Ticket, through Debtor and Mr. Shinefield, falsely  
22 represented to Plaintiffs that they would earn high returns on their respective monetary  
23 investments through Ticket's re-selling blocks of tickets to third-party vendors who would re-sell  
24 the tickets to their clients as special events. Rather than operate Ticket as a legitimate ticket  
25 brokering agency, Debtor and Mr. Shinefield diverted the funds invested by Plaintiffs and used

26  
27 <sup>1</sup> The Plaintiffs in the state court proceeding include Douglas Brown and Ann Brown. The Browns have decided not to remove their claims against Mr. Mills to the Bankruptcy Court, and are not included among the removing plaintiffs.

28 <sup>2</sup> Plaintiffs do not remove their claims against Defendants Got the Tickets, LLC, or Michael Shinefield, but only remove their claims against Defendant and Debtor John T. Mills. 28 U.S.C. § 1452(a).

1 such funds for their personal benefit. Such blatant misappropriations of funds and treating  
2 Ticket's assets as their own contravene fundamental corporate governance practices, procedures,  
3 and principals. Defaults have been entered against Ticket and Mr. Shinefield, and Plaintiffs are in  
4 the process of obtaining a default judgment in state court against these two defendants.

5 Debtor avoided service in the state court proceeding prior to the filing of his bankruptcy  
6 proceeding, and has not been served. *See* Ex. 1.<sup>3</sup> Plaintiffs will promptly serve Debtor as  
7 provided by the Federal Rules of Bankruptcy Procedure.

8 Plaintiffs remove these claims against Debtor: Count I, Intentional Misrepresentation, and  
9 Count III, Alter-Ego. Plaintiffs also intend to seek leave to amend their claims to add  
10 nondischargability claims against Debtor.

11 Plaintiffs contend that this proceeding is core, and they consent to final orders or judgment  
12 by the bankruptcy judge.

13 A copy of all process and pleadings concerning Debtor are attached as Exhibit 1. Fed. R.  
14 Bankr. P. 9027(a). A copy of this notice is being served concurrently on Debtor (who has not  
15 appeared in the state court proceeding and is unrepresented in the state court proceeding) and  
16 Debtor's counsel. Fed. R. Bankr. P. 9027(b). This notice of removal is being filed concurrently in  
17 the Eighth Judicial District Court. Fed. R. Bankr. P. 9027(c).

18 DATED this 12th day of February, 2009.

19 JONES VARGAS

20 By: /s/ Louis M. Bubala III  
21 LOUIS M. BUBALA III, ESQ.

22 Attorneys for PLAINTIFFS  
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27

28 <sup>3</sup> Plaintiffs' counsel acknowledges that service attempts were made after Debtor filed his petition. Notice of Debtor's  
bankruptcy were mailed directly to Plaintiffs, and counsel ceased all efforts at service once notified by Plaintiffs of  
the bankruptcy. In any event, the process server was unable to locate or serve Debtor.

**CERTIFICATE OF SERVICE**

I certify that I am an employee of JONES VARGAS, and that on this date, pursuant to FRBP 7005 and 9027, I am serving a true copy of the attached Notice of Removal to Federal Court on the party(s) set forth below by:

X By CM/ECF Notice

THOMAS H. FELL

BANKRUPTCYNOTICES@GORDONSILVER.COM;bknotices@gordonsilver.com

NIKOLL NIKCI nik@schwartzlawyers.com, sam@schwartzlawyers.com;Ecf@schwartzlawyers.com

SAMUEL A. SCHWARTZ sam@schwartzlawyers.com,

nik@schwartzlawyers.com;ecf@schwartzlawyers.com

LENARD E. SCHWARTZER trustee@s-mlaw.com, nv17@ecfbis.com;wholland@smlaw.

com;lbenson@s-mlaw.com

U.S. TRUSTEE - LV - 7 USTPRegion17.LV.ECF@usdoj.gov

MATTHEW C. ZIRZOW bankruptcynotices@gordonsilver.com, bknotices@gordonsilver.com

X By Placing an original or true copy thereof in a sealed envelope placed for collection and mailing in the United States Mail, at Reno, Nevada, postage prepaid, following ordinary business practices

addressed as follows

Nikoll Nicki

The Schwartz Law Firm

620 S. Third St.

Las Vegas, NV 89101

John T. Mills

2245 N. Green Valley Pkwy., #679

Henderson, NV 89014

X Placing an original or true copy thereof in a sealed envelope and causing the same to be personally Hand Delivered (for filing)

Court Clerk

Eighth Judicial District Court

200 Lewis Ave.

Las Vegas, NV 89101

DATED this 12th day of February, 2009.

/s/B. Copeland

An employee of JONES VARGAS

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